

15. (Previously amended) The control unit of Claim 1, wherein the one or more computers comprise personal computers.

16. (Previously amended) The control unit of Claim 15, wherein the personal computers need not be connected to a central server to allow the control unit to function in the manner of Claim 13.

17. (Previously added) The control unit of Claim 1, further comprising a second application overlying the trading application, the second application enabling the execution of trades involving different quantities through the performance of a single click on a portion of the control unit by an operator.

18. (Previously added) The method of Claim 13, further comprising the step of enabling the execution of trades involving different quantities through the performance of a single click on a portion of the control unit by an operator.

REMARKS

Claims 1-2, 4-11, 13 and 15-18 are pending and stand rejected under 35 U.S.C. Sections 102, 103. Each of the rejections are traversed, both for reasons previously provided as well as those presented below.

Claims 1, 2, 4, 8-11, 13, 15, 17 and 18 have been rejected as anticipated by McCausland. Applicants note, as previously pointed out, that McCausland fails to disclose a computer trading control unit or method in which trading operations can be conducted "substantially without the need for visually focusing on the control unit during the performance of trading operations," as recited in independent Claims 1 and 13.

Applicants again note that the reasons for rejection fail to reference the attached Mazza Declaration which was previously filed in this case and discusses this particular claim limitation, as well as others. As explained there, the McCausland buttons used for trading control are all rectangular (including square) buttons of the same or similar size and shape, and do not allow the operator to distinguish between trading control buttons without visually focusing on the buttons (Mazza Dec., Pars. 4, 5), as shown by FIGURE 3 of McCausland, key cluster 204, for example. McCausland also discloses a keyboard, not the hand-held control unit of the claimed invention.

The pending claims are also allowable over the cited prior art, including McCausland, in light of the claimed "one-click" feature now discussed, and recited in new Claims 17 and 18. This feature permits execution of quantity (size) trading changes (e.g., changing "500 lot" to "250 lot") using just one click on the trading controller. The "defaults" allegedly applying with McCausland do not enable multiple trades using a "one-click" feature but only the single trade allowed by the limited default rules.

It is believed that these differences are sufficient to distinguish McCausland from the pending claims, so Applicants have not separately argued the rejections made concerning the other dependent claims; acquiescence to such arguments should not be implied.

Finally, with regard to the Section 103 rejections, it was previously pointed out that combinations of prior art made to support a rejection without any indication that such references may or should be combined, are not proper. In re Fine, 837 F.2d

1071, 1074 (Fed. Cir. 1988) (reversing obviousness rejection where no motivation to combine was present). Applicants respectfully point out that no such motivation to combine Grant or Akatsuka with McCausland has been or could be shown.

For the foregoing reasons, Applicants respectfully request an allowance of the pending Claims 1-18. If an allowance is not forthcoming prior to the next written communication, the Examiner is requested to contact the undersigned prior to the sending of any further written communication. **In that event, Applicants earnestly request an in-person interview with the Examiner later in this year, and the Examiner is requested to contact the undersigned to set up such interview.**

Respectfully submitted,



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